

*Alternative Dispute Resolution as a Catalyst for the
Promotion of Harmony in International Law: Myth or
Reality?*

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Abstract

The peaceful settlement of disputes through Alternative Dispute Resolution (ADR) methods and procedures is a key aspect of international law, international trade and international relations. International law and ADR share the common goal of preserving international peace and justice, and ADR is becoming increasingly popular in the settlement of disputes arising under international law whether private or public. International institutions, conventions and treaties provide practical channels of communication and thus encourage the use of ADR in the settlement of international disputes.

ADR play a major role towards attaining harmony in international law because ADR procedures are not only convenient, affordable, and expedient but are also confidential and private. Arbitration for example, provides uniform norms and standards which are internationally practicable.

The shortcomings of ADR processes mitigate the positive impact these processes may have on the smooth application of international law and may thus cause dissonance in some cases. But these obstacles can be overcome through greater uniformity of applicable norms and principles, and the efficient functioning of relevant international institutions. A comparative approach in the interpretation and applicability of international rules and procedures can also result in greater predictability and practicability.